

REMARKS

Claims 1-34 are pending in the application. Claims 1-34 stand rejected under 35 USC 102(b) as being anticipated by Fosgate (US 5,172,415). The rejection is respectfully traversed for the reasons set forth herein. Reexamination is requested.

The rejection treats all of the pending 34 claims together. Claims 1 and 26 are independent claims. Claim 1 is directed to a method that includes the limitation:

“processing each of said pairs of derived audio signals to produce respective first and second pairs of intermediate audio signals wherein the magnitudes of the relative amplitudes of the audio signals in each pair of intermediate audio signals are urged toward equality”

and claim 26 is directed to a method that includes the limitation:

“processing each of said pairs of passive matrix audio signals to produce respective first and second pairs of intermediate audio signals such that the magnitudes of the relative amplitudes of the audio signals in each pair of intermediate audio signals are urged toward equality”.

It is well known that an anticipation must teach or suggest all of the claim elements. Only some of the claim limitations are mentioned in the rejection. For example, there is no mention of the quoted limitations in the rejection nor has applicant been able to find anything that teaches or suggests the quoted claim limitations anywhere in the cited Fosgate patent. It appears that the rejection has overlooked the quoted claim limitations. Although the rejection refers specifically to FIGS. 1, 13 and 14, to elements 46, 42, 44 and 48, and to columns 21-30 of the Fosgate patent, applicant does not find any teaching within those large portions of the cited reference that respond to all of the limitations of claim 1 or claim 26 including the above-quoted recited limitations.

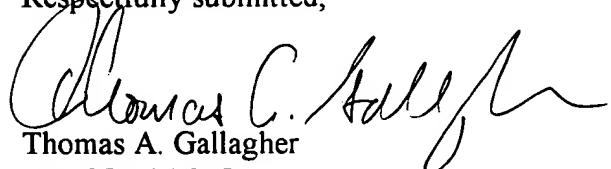
It is also noted that the rejection makes no mention of the dependent claims (claim 1 has 24 dependent claims and claim 26 has 8 dependent claims), nor does it attempt to indicate how such dependent claims read on the Fosgate patent.

Thus, it is believed that the rejection of claims 1-34 is improper and should be withdrawn. All of the claims are believed to be allowable and such favorable action is earnestly solicited.

Response to Office Action Dated March 29, 2004

In the event that the rejection is repeated, it is respectfully requested that it specify with particularity how each limitation of each claim reads on the Fosgate patent, and in particular, where in the Fosgate patent there is a teaching or suggestion of the above-recited claim limitations.

Respectfully submitted,



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